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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

TEJON RANCH CO., <i>et al</i> ,) CASE NO. 1:97-cv-6261-LJO-SMS
)
Plaintiffs,) UNOPPOSED MOTION FOR A STAY OF
) JOINT STATUS REPORT ON
v.) IMPLEMENTATION OF STIPULATION
) AND MEMORANDUM OF AGREEMENT
UNITED STATES FISH AND WILDLIFE) IN LIGHT OF LAPSE OF
SERVICE, <i>et al</i> .) APPROPRIATIONS AND ORDER RE
) SAME.
Defendants.)
)

1 The United States of America hereby moves for a stay of the parties' quarterly status report
2 in the above-captioned case. Plaintiffs join this request.

3 1. At the end of the day on September 30, 2013, the appropriations act that had been
4 funding the Department of Justice expired and appropriations to the Department lapsed. The
5 same is true for most Executive agencies, including the federal defendants. The Department
6 does not know when funding will be restored by Congress.

7 2. Absent an appropriation, Department of Justice attorneys and employees of the
8 federal defendants are prohibited from working, even on a voluntary basis, except in very limited
9 circumstances, including "emergencies involving the safety of human life or the protection of
10 property." 31 U.S.C. § 1342.

11 3. Undersigned counsel for the Department of Justice therefore requests a stay of the
12 parties' quarterly status report in the above-captioned case until Congress has restored
13 appropriations to the Department.

14 4. If this motion for a stay is granted, undersigned counsel will notify the Court as
15 soon as Congress has appropriated funds for the Department. The Government requests that, at
16 that point, all current deadlines for the parties be extended commensurate with the duration of the
17 lapse in appropriations.

18 5. Opposing counsel has authorized counsel for the Government to state that the
19 plaintiffs join this motion.

20 Therefore, although we greatly regret any disruption caused to the Court and the other
21 litigants, the Government hereby moves for a stay of the parties' quarterly status report in this
22 case until Department of Justice attorneys are permitted to resume their usual civil litigation
23 functions.

24 Dated: October 8, 2013

Respectfully submitted,

25
26 ROBERT G. DREHER, Acting Assistant
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27 s/ Bradley H. Oliphant
28 BRADLEY H. OLIPHANT

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ORDER

13 This Court STAYS the filing of quarterly status reports pursuant to the federal
14 defendants' request.

15
16 IT IS SO ORDERED.

17 Dated: October 9, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE